

District VI Advisory Board Minutes

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Monday
June 1, 2015
6:30 PM

Evergreen Park & Recreation Center
2700 N Woodland, Wichita, KS 67204
Lounge Clubroom

The District VI Advisory Board meeting was held at 6:30 p.m. at the Evergreen Park & Recreation Center Lounge Clubroom 2700 N. Woodland, Wichita, KS 67204. There were seven District Advisory Board members, seven staff and 21 citizens in attendance.

Members Present

Gregory Boyajian
Carmen Gard
Josef Hamilton
Steve Mason
Denise O'Leary-Seimer
Deborah Sanders
Joel Weihe
Council Member Janet Miller

Staff Present

Kathy Morgan, MAPD
Zack Daniel, Management Fellow
Dale Miller, MAPD
Firefight Mark Williams, WFD
Officer Vanessa Rusco, WPD
Bill Longnecker, MAPD
Joe Hickle, PW Stormwater

Members Absent

Scott Dunakey

Guests

Listed on last page

Councilmember Janet Miller called the meeting to order and welcomed everyone.

Approval of Agenda

The agenda was approved as submitted. **Motion passed (7-0)**

Approval of Minutes

The minutes for May 20, 2015, were approved. **Motion passed (7-0)**

Public Agenda

Scheduled items: None

Off-agenda items: None

Staff Presentations

Community Police Report

Officer Francisco Tejada, WPD Patrol West, gave an update on activities in the area. Officer Tejada spoke about community policing efforts in West Wichita to handle graffiti issues. WPD received some donated paint from Sedgwick County and painted over graffiti markings in solid white. Officer Tejada updated the group on the Riverside Park Special Assignment which took place on May 15. There had been issues of alcohol violations, begging, and public drunkenness which necessitated the assignment. About half of the violators were homeless. Plain clothes police officers were able to generate seven new cases for the Homeless Outreach Team (HOT) who will return to the area to assist the homeless population. Throughout Beat 11, there were four burglaries which occurred since the last DAB update.

Officer Troy Bussard, WPD Patrol North, introduced himself to the group. He was a former SRO at Pleasant Valley, so has a pre-existing relationship with many of the area families and children. He urged

the group to spread the word to check their sheds for burglaries. Bicycles and cars have been reported as stolen recently. In Ridgeport, a Caterpillar construction vehicle was reported stolen. Officer Bussard also reminded the group that Camp Awareness is currently underway.

Action: Receive and file

Fire Department Report

Firefighter Mark Williams, WFD Fire Station 7, reported on WFD activities. The recent heavy rains have caused issues in some parts of the city. A swift water rescue was pulled off near the river. Firefighter Williams stressed that if you see an area that you may not be able to drive through to exercise extreme caution and avoid the area if possible. Cars will shut down if they have taken on too much water and will float away. There were three incidents which resulted in a death in 2014 related to complications from driving in flooded areas. If an individual ever finds himself in this position, they should position their hands in front of them and crawl up on top of the vehicle. He stressed to know your area so you could be prepared in an emergency situation.

Action: Received and file

New Business

Prior to beginning the new business portion, Council Member Miller reminded the attendees of the decorum expectations. A handout was provided which was titled “The Golden Rules” related to zoning issues.

ZON2015-00012 & CON2015-00010 – Conditional Use for warehouse/self-storage

Dale Miller, Metropolitan Area Planning Department, presented request for a zone change from SF-5 Single-Family Residential (SF-5) to Limited Commercial (LC) for 4.94 acres of a 5.5-acre unplatted parcel, located at 6008 W. 29th St. N. (west of North Hoover Road on the north side of West 29th Street North). In 1958, Sedgwick County zoned three of the four corners (northwest, northeast, southeast) of the intersection of North Hoover Road and West 29th Street North to LC in anticipation of commercial development. The east portion of the parcel, approximately 0.45 acre currently zoned LC, was part of the 1958 LC zone change. In addition to the requested zone change to LC, the applicants have submitted a request for a conditional use to allow “warehouse/self-service storage” on the site (CON2015-10).

At its regular meeting on April 2, 2014, the Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC) considered the case and heard from numerous concerned citizens. In general terms, the issues raised by the citizens were: increased traffic, child safety, storm water drainage, incompatibility of the use that close to single-family homes, property devaluation and lack of specifics regarding the appearance of the facility. Protest petitions representing 47.98 percent of the land area located within 200 feet have been submitted. The action of the MAPC was to approve the request subject to the seven listed conditions.

DAB V heard the case at the April 21, 2015, meeting; 20-30 neighbors attended the DAB meeting expressing concerns similar to those presented at the MAPC meeting. The DAB voted to deny the application (6-1). At the close of the protest period, 47.98 percent of the valid protest area had submitted protest petitions. The Wichita City Council considered the case on May 5, 2015, and voted to send the case back for consideration to DAB V, DAB VI and the MAPC.

Jim Albertson, the architect for the proposed project, addressed the group. Albertson stated that Barefoot Bay has a variety of developments including a salvage yard, construction sites, and a concrete plant. He stated there are zero homes in front of the proposed storage site and that the proposed site is not conducive to building higher-end homes like are found throughout the area. A 30 ft. landscaped buffer would exist to shield the proposed storage facility from street view. The primary developer, Chris Bohm pointed out, whether or not the storage facility goes in at the site, the K-96 interchange will facilitate some development in the future which might not come with the kinds of buffers built into the proposed storage site.

DAB? In the artist's rendering, there is an open space depicted on the east side of the proposed storage facility. What is that area for? **Answer:** That open space is being left empty to plan for future development and water detention, not for outdoor storage.

DAB? Will the facilities have restrooms? **Answer:** The office area will have a public restroom during office hours. The DAB member suggested 24-hour restrooms to prevent public urination.

Brooke Grizzell, resident of Barefoot Bay, showed a PowerPoint presentation with pictures from the neighborhood. She stated a storage facility would be out of place in the area and that it would be inappropriate to grant a conditional use. She included pictures of other storage facilities in the city which have obtrusive signage and have similar "buffer zones" which do not adequately hide the facility. She asked the DAB to keep the area zoned as it is.

DAB? Asked for clarification on what is meant by "as-is?" **Answer:** Keep it zoned SF-5, not necessarily to keep the area as a vacant lot

Joseph Paggi, area resident, urged the DAB not to allow the conditional use. **Paggi** focused on the criminal aspect that storage facilities introduce. He said recorded crimes involving storage facilities have included identity theft, office burglary and drug trafficking. He also questioned if the street where the facility is to be located meets the definition of "arterial." He also stated that 90% of the area residents are opposed to the idea and have signed a petition.

Dave Cornwell, owner of the property, stated he approached the residents of Barefoot Bay to purchase the property in order to stave off the approaching salvage yard. He claimed Barefoot Bay did nothing to stop the salvage yard from coming in and that he would rather sell the property to an outsider than ever allow Barefoot Bay to assume ownership.

Brett Grizzell, area resident, responded by stating there was a petition which he signed aimed at stopping the salvage yard. He asked the DAB to stop further "eyesores" from populating the area. He claims the berm wall being proposed is meant to protect cars from view, but not tall buildings and would be worthless for the proposed purposes.

Shelly Moore, area resident, stated that the storage facility would be the wrong direction for the area. She said the lake in Barefoot Bay is an extremely important, private lake which requires an insurance policy. The threat of materials from the storage facility entering the lake may place residents in danger.

DAB? How large is the retention pool for the storage facility? **Answer:** The developer claims it is a dry detention pool and collects litter before it enters the sewer system.

Mark Rehinkle and **Sharon Buck**, area residents, also made brief comments opposing granting the conditional use for the storage facility.

Joseph Hickle, Storm Water engineer in Public Works, explained the mechanics of a dry detention pond. He said it would detain runoff and release at a natural flow level. He said he would need to conduct a staff review to determine if pond discharge would impact the Barefoot Bay Lake in any way.

DAB Member **Joel Weihe** posed the question of what would be the best use for the land? He states that the lot should not just stay vacant and needs to be used. He recognizes the popularity of the lake and would not want to infringe on that amenity. He states he cannot predict the future of the lot, but would prefer not to grant the conditional use.

DAB Member **Greg Boyajian** stated that he found the arguments from residents factual and overwhelming.

DAB Member **Denise O’Leary** stated that the housing in the area is beautiful and that she would not want to introduce a crime element by allowing a storage facility to be constructed.

Action: (Weihe) made a motion to deny approval of the proposed zone change and conditional use for warehouse/self-storage. Motion passed: 5-2

ZON2015-00024

Dale Miller, Metropolitan Area Planning Department, presented a request for a zone change zone change, which would provide less restrictive zoning for the proposed expansion of the Catholic Charities building, the Lord’s Diner. The applicant, Catholic Diocese of Wichita, is requesting a zone change from GC General Commercial and B Multi-Family Residential to CBD Central Business District. The brick and stone, one story Lord’s Diner (built 2001), a brick three-story office and parking occupy the platted approximately 1.34- acre site, located on the northeast corner of Central and Broadway Avenues. The Lord’s Diner provides free hot evening meal in a safe environment, 365 days a year to anyone needing this service. More than the site’s current zoning the proposed CBD more effectively resolves such issues parking and setbacks that would be triggered by the proposed expansion of the diner. The CBD zoning also matches the applicant’s stone, CBD zoned Cathedral of the Immaculate Conception complex located south of the site across Central Avenue. This is the first application for CBD zoning north of Central Avenue.

DAB? Will other rezoning be required for other activity? **Answer:** No, the CBD allows for the most flexible standards.

DAB? Will the facility want to build closer to the lot line? **Answer:** No, as there will be no increase in parking. The food will be taken off-site to serve the homeless population rather than invite more to the centralized location.

DAB? Would the zoning change allow more people to come if priorities change? **Answer:** Probably not, as there are no measures to increase the dining area. Lord’s Diner representatives also addressed to DAB to confirm this response.

**Action: (Weihe) made a motion to recommend approval of the CBD zoning
Motion passed: 7-0**

Issues of Concern

The DAB thanked the City for the “no mow” areas along the river bank to allow for natural grasses to be planted.

Neighborhood Reports

There were no neighborhood reports given

The next DAB VI meeting will be held at 6:30 p.m., Monday, **July 6, 2015**, at the Evergreen Recreation Center, 2700 N. Woodland, Wichita, KS 67204.

Guests

Joseph Paggi
R.D. Wood
Dave Cornwell
Jan Haberly
Linda Steven
Russ Emry
Brett Grizzell
Brooke Grizzell
Holly Rehwinkel
Mark Rehwinkel
Jim Albertson
Lonny Wight
Dennis Grizzell
Francis Hilschmann
Jenita Hilschmann
Brice Moore
Shelly Moore
DaVonna Kraybill
Carl Schwand
Dave Champlex
Sharon Buele